

**SHREWSBURY CONSERVATION COMMISSION  
SHREWSBURY, MASSACHUSETTS**

**MEETING MINUTES**

Regular Meeting: Tuesday, November 18, 2003

Location: Selectmen's Hearing Room - Municipal Office Building

**Present:** John J. Ostrosky, Chairman  
Robert P. Jacques, Vice-Chairman  
Dorbert A. Thomas, Clerk  
Patricia M. Banks  
Kenneth F. Polito

**Absent:** John D. Perreault, Town Engineer

**Also Present:** Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

**1. Bills**

No bills were signed.

**2. Meeting Minutes**

No minutes were reviewed or approved.

**3. 2004 Meeting Dates**

The Commission unanimously approved the list of meeting dates for 2004.

**4. Meetings & Hearings**

**7:05 PM**

**#285-1247 Public Hearing regarding the Notice of Intent filed by Polito Development Corporation for tree clearing at 239 Cherry Street**

***Commissioner Ken Polito abstained from the hearing due to possible conflict of interest.***

Mr. Krevosky stated the only change on the revised plan is to the detail on the wetland edge. The site of the project is Hills Farm Development on Cherry Street and Route 20.

This is the beginning phase of an industrial park.

**Fran Polito** is proposing to stay 30 feet back from the wetland boundary, which would allow for just the clearing and the grubbing, not for the removal of the top or sub soil, leaving in tact the last 30 feet with the haybale and silt fence at the edge of the wetlands. The wetlands had been delineated sometime in the past. There are some old flags still there. The soil boring locations are all along the edge with a steep slope coming down to a flat red maple shrub swamp. It was delineated on September 8, 2003, but it had been delineated prior to that as well. The whole site will be cleared and grubbed with the exception of the 30 feet from the wetland line.

**Fran Polito** stated they would like to start in the next few weeks, whenever they receive permission from the Commission. They're not going to strip, but are only going to remove the stumps and trees so they can begin engineering. They have 25 total acres there and they need to open it up to get a better idea of what they're going to do.

Mr. Krevosky stated if there was an issue with leaving the land exposed after cleaning and grubbing, they could do some minimum seeding to get some grass growing. If there was a concern by the Commission about erosion up to the haybale/silt fence line, that line would have to be trenched and tightly aligned and staked. If the erosion controls are in place and top subsoil is in place to where the stumps will be removed, there shouldn't be any erosion issues. If there is, it can be quickly stabilized. They would ensure that the mitigating measures are placed properly and maintained.

Mrs. Thomas commented it was a big area to open up all at once.

Mr. Krevosky stated they did receive their DEP file number and there were no comments from the State. He assured the Commission they can stabilize the site quickly, and added it's not the whole area, just a 500 foot by 250 foot area.

Mr. Stone stated he has walked the site and agrees with the delineation.

Mr. Jacques stated he would like the disturbed areas to be seeded, using a mix that will grow rapidly in the cold temperatures.

Michael Vicens of 4 Joyce Circle examined the plan and Mr. Krevosky showed him where they're planning to clear. He asked if there were plans to work in the access way.

**Fran Polito** stated they have no plans to work there.

The Commission voted unanimously to close the hearing. **Mr. Ostrosky officially closed the hearing.**

7:10 PM

**#285- Public Hearing regarding the Notice of Intent filed by Tip Pond Corporation for the construction of a two story office building, parking area, septic leaching field, and drainage system at 307 & 308 Grafton Street**

Carl Hultgren of Quinn Engineering, Inc., representing Tip Pond Corporation, presented the project. He explained the site is located between Grafton Street, Grafton Circle, Rt. 140 and Route 9. The project consists of the construction of a two-story office building on a grassed site. The original house on the property has been demolished. On either side of the proposed office building will be parking lots at different story elevations. The storm water from the parking lots will be collected in catch basins and treated in an infiltration basin. The outflow from the infiltration basin travel to a flow drain manhole at the end of the entrance driveway and into the existing drains at Grafton Circle. He stated they have also proposed a stormceptor unit at the end of the driveway to catch storm water flowing from the section of the driveway too low to drain to the infiltration basin. The flow from the stormceptor unit will also travel into the same manhole drainage system on Grafton Circle. A branch of Big Bummet Brook is within the 120-foot river area and there is also an area of bordering vegetated wetland across the street. Five-hundred fifty-four (554) feet of riverfront construction is proposed. The infiltration basin falls within the 200-foot riverfront area. There is approximately 2,158 feet of bordering vegetation wetland disruption. Haybales and silt fence have been proposed on the lower side of the driveway. After a discussion with Mr. Stone, a crushed stone driveway will be added as a construction entrance for vehicles entering and exiting the site. The outflow from the infiltration basin will be connected to the stormceptor and will ultimately flow into the drain system on Grafton Circle. A leach field has also been proposed. The applicant is exploring the possibility of a public sewer system connection for the site. The disturbance on the site is limited to the buffer zone. Parking will be for cars only, no trucks, except for the regular collection of trash from the dumpster.

There are a total of approximately 30 parking spaces on the two lots, both holding 15 spaces. The lots are on two different levels. The lot for one entrance is lower than the lot for the entrance on the other side of the building.

There is a maintenance plan for the stormceptor included in the storm water management calculation which was submitted with the Notice of Intent.

Mr. Stone stated he would like to see a revised plan showing the detention into the storm water unit, some plantings for erosion control and detail on the stone tracking pad. In addition he reminded Mr. Hultgren that, should the public sewer system become a possibility, they may have to come back before the Commission, depending on the design.

The Commission voted unanimously to close the hearing. ***Mr. Ostrosky officially closed the hearing.***

**295-1248      Public Hearing regarding the Notice of Intent filed by Sage Investors, Inc. for the construction of a commercial building and parking lot at 360 Hartford Turnpike.**

Glenn E. Krevosky, of EBT Environmental Consultants, and Eric Wilhelmsen of Hannigan Engineering, presented the project. Mr. Christopher, the applicant, is proposing to construct a commercial building with an associated parking lot. The site shall be serviced by an on-site septic system. Due to access constraints from Route 20, imposed by Mass Highway, the applicant is proposing to cross wetlands along his eastern property boundary. There have been extensive discussions with the State as to the access location and the State felt the current proposed location is the safest of all locations examined. There is a letter from Mass Highway specifying where they would allow access, which is across wetlands. There is an area of upland wetlands and a manmade channel draining the upland wetlands down to the lower wetlands. There is a pipe system that has made a mound of sand which is filling into the channel that drains down to a marsh that eventually drains down to Clews Street. Originally Mr. Christopher wanted to use this property as a car lot. The town would not allow that, so now he is proposing 2 commercial buildings. The Engineer designed a retention basin, a storm water management report, and 3 perc tests in this area resulted in 13-minute perc rates, indicating the soils would properly accommodate the drainage system. Copies of the Title 5 septic system design have not yet been presented to the Commission. A typical replication design of 1½:1 is proposed with replication in kind.

Mr. Ostrosky requested an explanation of the two detention basins.

Mr. Krevosky explained one basin is located between the buildings and catches runoff from the crossing and all the upland flow. The larger basin takes all the entrance road and building runoff through the drainage system. The system consists of both catch basins and swales. If there were to be a spill it would be caught by the catch basins and sent to the swales. The catch basins could be fitted with hoods. The detention basins have overflows and infiltration trenches and recharge the ground water.

The smaller building is 864 square feet (35'x 36' x 24') and the larger is 1980 square feet (60' x 33'). Required parking spaces are 1 per 400 square feet of commercial building space.

Mr. Jacques asked for clarification of the delineation of the existing soil absorption reserve area, the zone line on the plan and the location of the property line. He stated the property has not been subdivided and there is still a house on the main lot, making it necessary for the property line to be added to the plan in order to protect the reserve area for the house. He reminded Mr. Krevosky of the guidelines of the Commission with respect to the 30-foot offset from the wetland.

Mr. Krevosky said he had just become aware of it this evening. He stated they have submitted this plan in order to meet the 3-year expiration date of the positive Determination of Applicability.

Mr. Ostrosky asked if the flags from the wetland delineation are still in tact.

Mr. Krevosky replied they were still up and they will be rechecked.

Mr. Polito asked for an explanation of how they are proposing to protect the roads during construction.

Mr. Krevosky replied they will submit a construction sequence as to how they'll access the construction. He stated there is a massive amount of silt coming in from Route 20, which is creating a berm or delta. They will work with Mass Highway to do some of the work. Presently the water discharges into dirt and the upper street pushes up 2 to 3 feet. They would work towards getting that cleaned out.

Mr. Polito stated the proximity to the wetlands means the Commission needs to see a plan as to how this will be constructed, including when the replication would be done and when the basins would be installed. He asked how they are proposing to stabilize the slopes.

Eric Wilhelmson replied they will use jute matting or riprap if required.

Mr. Stone stated he had no questions or comments.

Paul Maiorano of 45 Clews Street stated he abuts the lot that has a foundation on which a house will be built. There's a lot of water that develops in the area when we have rain, which has happened since the foundation was built a while ago.

Mr. Krevosky stated Mr. Christopher owns that house and the house is under construction.

Mr. Christopher explained the water build up was because there was no outlet built for it. He stated this had been taken care of and they plan on building the house soon.

Mr. Maiorano asked what the distance is from the residential home to the proposed office complex.

Mr. Krevosky replied the distance is approximately 150 feet to the commercial building.

Mr. Ostrosky stated the Commission needs more information from the applicant and the hearing was continued to December 16, 2003.

## **2 Flanagan Drive: Discussion on Enforcement Order**

Edward Drelinger of Drelinger Building and Decorating, and Dr. DeSheng Wang, Certified Wetland Scientist, were present for the discussion.

Mr. Drelinger explained they have hydroseeded and placed erosion control mesh on the banking of the first house, filled in any erosion on the 3<sup>rd</sup> house lot, have extended the haybales on the middle lot, installed a berm of stone all around the lot and fixed the area where the pipe goes across the driveway.

Dr. Wang stated on November 12<sup>th</sup> they had a joint site inspection with Conservation Chairman John Ostrosky, several Commissioners and Brad Stone. On Lot #2 they have created a stone check dam at the entrance so anything coming from the site will slow down, seep through and go through 50 feet of crushed stone pad before it gets to the driveway and flow back to the crushed stone swales. When they get a permit, and the slope site is leveled, they will create another runoff interception swale around the east side of the property, so it intercepts the offsite runoff which would be diverted to the wooded area, rather than have the water all coming through the disturbed area during the construction phase. Dr. Wang stated that all the items mentioned in the enforcement order have been accomplished and in addition they have added the stone check dam and it will be expanded as needed during construction, and on a weekly basis or before rain, haybales and silt fence will be inspected. The rest of the work for the site will be behind the wetland line.

Chairman Ostrosky asked if they had checked the schedule with their subs.

Mr. Drelinger stated he has discussed this with an excavator and he's scheduled to come in there, with the permission of the Board, within 2 weeks. They're going to excavate the earth out of the area, plateau the lot and grade it back so that most of the water would stay on the second lot. Right now it all goes down to the 3<sup>rd</sup> lot. If they plateau the land it will give it time to dissipate into the ground. He said they're going to swale it back and make a spreader with stone so it won't erode out. The water will be coming down the back of the lot, coming into the swale, which will bring it around to an area of stone where it can dissipate into the ground, instead of it all going down into the driveway, then it will come around the corner and go into that one basin. He said it will work similarly to the way the first lot works. Since the house has been built and the grass has been put in, that first swale gets very minimal water.

Mr. Ostrosky confirmed they would be putting in the foundation as soon as the excavation was finished.

Mr. Drelinger replied they would be, then the sewer and water ties, getting it all excavated and rough-graded, then hydroseeded. He stated they are looking at the end of December for the foundation and utilities to be tied in, with the rough grading.

Mrs. Thomas asked if they will grade after the large mound of dirt is removed from the site. Mr. Drelinger stated that is correct.

Mr. Polito asked if the driveway will be graveled and stoned when they are excavating the area and pouring the foundation.

Mr. Drelinger replied they had a truck load of stone put in today and an 18" berm along the common driveway, and there's still stone sitting there, which all will be leveled off with stone to keep the wheels as clean as possible on the street. After they've built the house they will maintain it.

Ken Milley, 105 Francis Avenue, stated at the last meeting there was a question of whether the system has a capacity to handle the water. Since then a banking has been added on Lot #1. He said they haven't heard any facts at all on whether this system is designed correctly.

Dr. Wang replied that under pre-construction conditions there is a tremendous amount of water coming down the hill. The detention pond only holds water for a certain amount of time. The system right now is about double capacity.

Mr. Ostrosky asked if the drainage system was built as designed.

Dr. Wang stated he has submitted a letter about the proposed sizing and the as-built sizing. The amount of water coming off the hill is far in excess of what will come off in the end. That site was unstable until recently so the rate of runoff is much greater than it will be when the project's finished. The rate of runoff is much greater than a site that has vegetation. Once Lot #2 is finished there'll go back and re-evaluate the condition of the detention basins so if there was to be a problem and they were degraded during construction, they're going to go back and fix it before they receive a Certificate of Compliance.

Mr. Milley stated abutters on Francis Avenue have submitted a request for a maintenance plan and a request to have the owners responsible for this identified. He asked how the committee is going to act on this.

Chairman Ostrosky replied at this time the Commission does not have the authority to put a condition on the home stating the basin in the yard must be kept up to a certain standard. If these become a maintenance problem in the future, the homeowner is going to want to rectify it. It's the responsibility of the owner of the property on which the basin is located to keep it in good condition.

Mr. Milley stated they have been dealing with the Engineering Department regarding these problems since May and basically nothing's been done to the sight except cosmetics. There was a problem and mistakes were made which should be corrected. He asked why the Commission is making the abutters be the watch dogs.

Mr. Ostrosky replied they have the right to come to any meeting or to call Brad Stone at any time. Mr. Drelinger has not been able to build. He's had a cease and desist order and he's only been working on erosion controls. The town will not be maintaining the detention swales.

Sue Ellen Milley, 105 Francis Avenue, stated there's a lot of erosion behind the third house, which abuts Mr. Hurley's and Mr. Panagioutou's property. She asked how that situation will end up when the project is done and if building the second house will take care of everything up there. In addition, she asked if the haybales along the property will be removed after construction and if, after the certificates have been issued their property incurs any problems from this site, they have a right to come to the town and expect to get it repaired.

Mr. Ostrosky explained Certificates of Compliance will be required when the houses are finished, which will require a site inspection. Any sign of erosion must be mitigated prior to certificates being issued. The Commission has jurisdiction within 100 feet of the wetland line and also beyond that if they're encroaching on the wetland.

Mr. Jacques stated it is the Commissions expectation that the erosion control measures on the property are going to be permanent. The Commission would not be dealing with this if it was thought that, in the long term, something was going to happen. Now is the time for the Commission to insist that this be a permanent condition.

Ms. Milley stated they are being cautious because they've been told since the plan was first presented they wouldn't have any problems.

The Commission voted unanimously to lift the Cease and Desist order and permit the developer to proceed with the revised plan as presented.

### **Lupine Circle and Prospect Street: Discuss repair of storm water utilities**

Brad Stone stated there's an on-going erosion control issue from the drainage system on Rawson Hill that started about 20 years ago. It is not the fault of the developer of Rawson Hill. The current problem started with a pipe that daylighted at the top of the hill around Deerfield Road. Over the years it has created a wide channel which is roughly about 5 feet wide and 4 feet deep in its deepest areas. That was pre-existent a few years ago. Historically, all the silt washed down the hill into a pond that appears to have been created by man at some point, and started to accumulate. Mosquito control has been down there quite a few times to dredge the spot out. A few years ago this gained attention because of the homes in the area. The new owner of Lot 1 brought it to our attention again because there are still some problems. Originally there was a stream at the back of the house that the original homeowner filled in and there was a riprap channel created by the original owner as well. Back in February 2001 the Engineering Department designed a plan to correct the problem with the channel with drainage utilities, drop manholes and pipes which drained to a flatter area. What the homeowner had done was not enough to contain the flow.



With the large storms there has been a lot of silt and the riprap washed through to the pond. The original stream has been filled in and the water has avoided the channel and is following its own path. The two problems presently are continued erosion from the channel and the potential for that original stream to come back behind the homes and cause worse problems. Working with the homeowners, the Highway Department is prepared to do repairs to the swale to get it up to speed, and have it designed and installed based on the flows that are coming down. Normally, when there is a wetland impact from rain events such as that, the swale would just be fixed. However a temporary wetland fill is being proposed to gain access to the site. Because of all the trees in the area a machine can't get in unless it comes in off Prospect Street. There is a finger-like projection bordering vegetated wetland (bvwm) that will need to be filled in temporarily to get access to do repair. The work would take 2 -3 days and needs to be done before the harsh winter weather comes. They haven't formally filed because of timelines. What they propose is the work could be done under an emergency certificate this fall or they could start the work and at the same time submit the formal papers for it. They would like to get it done this Fall.

Mrs. Thomas asked why they didn't want to let the stream go back to the way it was originally.

Mr. Stone replied he believes it would cause more harm. Not only has the stream been filled but there is also a bvwm in that site now. They would have to part with that. The flow coming down there is too much. It's better to leave the riprap installed and not create another mess down in that area.

Mr. Jacques stated there's been an erosion channel from the washout on the hill. It wasn't really part of a wetland environment.

Mr. Stone stated the original lot showed the stream and the bvwm, with the rest just being a drainage channel.

Mr. Jacques stated the bvwm could have developed from the drainage. He added he thinks all the appropriate filings should be in place because it is private property.

Mr. Stone stated the work could be done under an emergency certificate. That means the Commission wouldn't have to follow up with an Order of Conditions. It can be done and signed off when the work is complete. Or they could go through with the formal process of filing a Notice of Intent. No work would be done on these properties without getting permission from the property owners.

Mr. Jacques asked if they would be doing any work on the easement.

Mr. Stone replied they will be doing work on the flared end.

The Commission voted unanimously to issue an Emergency Certification form.

### **New Business**

**a. Orders of Conditions were discussed and signed for the following projects:**

#285-1247     239 Cherry Street  
#285-         307 & 308 Grafton Street

**b. An Emergency Order was signed for the following project:**

Lupine Circle and Prospect Street - Repair of storm water utilities

### **Old Business**

**a. Certificates of Compliance were signed for the following projects:**

#285-1065     75 Spring Street  
#285-818     133 Stoney Hill Road (Partial)  
#285-325     27 Ireta Road  
#285-730     23 Thomas Farm Circle  
#285-1077     118 Memorial Drive

### **Adjournment**

The Commission voted unanimously to adjourn the meeting.

Respectfully submitted,

Debbie Grampietro